

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>HILLARY MORRIS, JR.,</b>	)	
<b>ID # 00910-380,</b>	)	
<b>Petitioner,</b>	)	<b>No. 3:17-CV-1733-C (BK)</b>
<b>vs.</b>	)	
	)	
<b>JORGE CASTANEDA,</b>	)	
<b>Respondent.</b>	)	

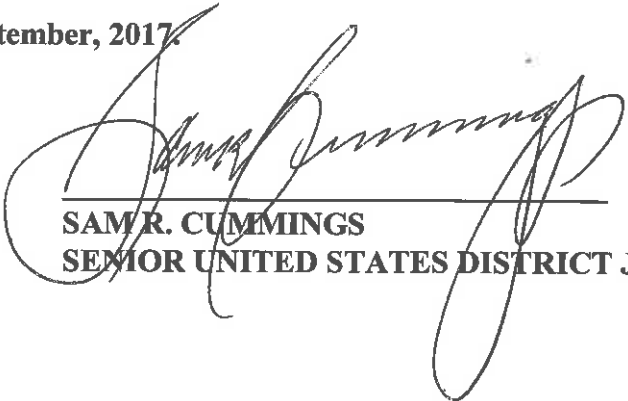
**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, this action under 28 U.S.C. § 2241 is **DISMISSED WITHOUT PREJUDICE** for want of prosecution.

In accordance with Fed. R. App. P. 22(b) and 28 U.S.C. § 2253(c) and after considering the record in this case and the recommendation of the Magistrate Judge, the Court **DENIES** movant a Certificate of Appealability. The Court adopts and incorporates by reference the Magistrate Judge's Findings, Conclusions and Recommendation filed in this case in support of its finding that the petitioner has failed to show (1) that reasonable jurists would find this Court's "assessment of the constitutional claims debatable or wrong," or (2) that reasonable jurists would find "it debatable whether the petition states a valid claim of the denial of a constitutional right"

and “debatable whether [this Court] was correct in its procedural ruling.” *Slack v. McDaniel*,  
529 U.S. 473, 484 (2000).

SIGNED this 15<sup>th</sup> day of September, 2017.



SAM R. CUMMINGS  
SENIOR UNITED STATES DISTRICT JUDGE